

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: _____ :
BIRMINGHAM et al. _____ : Group Art Unit: Unknown
Serial No.: Not yet assigned _____ : Examiner: Unknown
Filed: Herewith _____ :
Title: **Hydraulic Concrete Mixer And Method Of Manufacturing Same**

POWER OF ATTORNEY

Macalite Equipment, Inc. is the owner of the above-identified patent application(s), pursuant to an Assignment from the owner(s) of record David L. Birmingham, Sr. and David L. Birmingham, Jr. executed on March 19, 2004 (the "Assignment"). In accordance with 37 C.F.R. § 3.73(b), a copy of the Assignment is attached hereto. A copy of the Assignment has also been filed or is being filed contemporaneously herewith for recordation with the Assignment Branch.

Macalite Equipment, Inc. hereby revokes all previous powers of attorney and appoints George C. Chen, Reg. No. 39,935; Kenneth A. Nelson, Reg. No. 48,677; Maurice B. Stiefel, Reg. No. 18,479; Lawrence G. Kurland, Reg. No. 24,895; Stephen P. Gilbert, Reg. No. 27,893; David A. Roodman, Reg. No. 35,663; N. Whitney Wilson, Reg. No. 38,661; Daniel A. Crowe, Reg. No. 39,644; Stephen M. Haracz, Reg. No. 33,397; Robert G. Lancaster, Reg. No. 43,736; Warren K. MacRae, Reg. No. 37,876; Kevin C. Hooper, Reg. No. 40,402; Christopher J. Hayes, Reg. No. 41,822; Roxanna Wizorek, Reg. No. 46,110; Charles T. J. Weigell, Reg. No. 43,398; of the firm of Bryan Cave LLP, Two North Central Avenue, Suite 2200, Phoenix, Arizona, 85004, telephone (602) 364-7000, facsimile (602) 364-7070, and the attorney(s) and agent(s) associated with Customer No. 23125 as its attorneys with full powers of substitution, revocation and association, to transact all business in the United States Patent and Trademark Office in connection with the above-identified patent application and any and all continuation, continuation-in-part, continued prosecution, and divisional applications thereof.

Please direct all correspondence regarding this patent application to Kenneth A. Nelson, Bryan Cave LLP, Two North Central Avenue, Suite 2200, Phoenix, Arizona 85004, phone (602) 364-7000.

Macalite Equipment, Inc.

Date: 3-15-04

By: 
David L. Birmingham, Jr.
President/CEO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Birmingham et al.

Filed: Herewith

Title: **HYDRAULIC CONCRETE MIXER AND METHOD OF
MANUFACTURING SAME**

DECLARATION

As a below named inventor, I hereby declare that:

Type of Declaration

This declaration is made in an original application for utility patent.

Inventorship and Specification Identification

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled Hydraulic Concrete Mixer And Method Of Manufacturing Same, filed herewith.

Claim of Priority

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of the foreign application(s) for patent, or inventor's certificate(s), or PCT international application(s) designating at least one country other than the United States of America, listed below:

Country
NONE

Application No.

Filing Date

I have also identified below any foreign application(s) for patent, or inventor's certificate(s), or any PCT international application(s) designating at least one country other than the United States of America, filed by me on the same subject matter having a filing date before that of the application of which priority is claimed (if none, write "NONE"):

Country	Application No.	Filing Date
NONE		

Acknowledgment of Review of Papers and Duty of Candor

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims thereof.

I acknowledge the duty to disclose information that is material to the examination of this application, in accordance with Title 37, Code of Federal Regulations, section 1.56(a).

Declaration

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signatures

Full name of first joint inventor:	<u>David L. Birmingham, Sr.</u>
Inventor's signature:	<u><i>David L. Birmingham Sr</i></u>
Date:	<u>3/19/2004</u>
Country of Citizenship:	<u>U.S.A.</u>
Residence (City & State):	<u>Phoenix, Arizona</u>
Post Office Address:	<u>3919 E. Nowata Drive</u>
	<u>Phoenix, Arizona 85044</u>

Full name of second joint inventor: David L. Birmingham, Jr.

Inventor's signature:



Date:

3-19-04

Country of Citizenship:

U.S.A.

Residence (City & State):

Phoenix, Arizona

Post Office Address:

15827 S. 27th Way

Phoenix, Arizona 85048